

such fine to be equally divided between the pound-keeper and the constable who may have brought such stock to the pound; but provided, that if brought by any other person than a constable, then the fine of fifty cents only shall be paid, which shall go to the pound-keeper; *provided, further*, that no stock shall be released by any pound-keeper until it has been proved to his satisfaction that the person claiming such stock is the rightful owner thereof, or the duly authorized agent of such owner, and if any stock so impounded shall be given up to a person not entitled to demand the release thereof, and loss to the owner result therefrom, the said pound-keeper shall be personally liable at law to the owner for such loss. In the event of any dispute in regard to ownership or otherwise between the person claiming such stock and the keeper of the pound, which cannot be settled by themselves to their mutual satisfaction, the dispute so arising shall be determined by the nearest Justice of the Peace for said county, who may summon witnesses and decide the matter in controversy. If the owner or owners of such stock shall not claim the same within ten (10) days from the date of such impounding, it shall be the duty of the pound-keeper to give notice by advertisement, describing the stock, set up at three public places, that the stock so impounded will be sold at public auction at some public place in the neighborhood, at the end of ten (10) days, if not redeemed before the day of sale, and if not so redeemed the said pound-keeper shall be fully authorized to make sale of such stock, and out of all monies arising from such sale he shall retain the fine of one dollar for each head of stock so sold, to be divided equally between himself and the constable who impounded such stock, or a fine of fifty cents only to be retained for himself if not impounded by a constable, and out of such monies so arising he shall pay all other expenses of every kind connected with said impounding and sale, and he shall pay the balance, if any, to the owner or owners of such stock, who may establish his or their claim to such balance; and in the event of no claimant appearing and proving his claim within thirty days from the date of the sale, the balance aforesaid shall be paid into the School Fund for Baltimore county.

The substitute was adopted.

The question being upon the passage of the bill,

The yeas and nays were called and appeared as follows:

#### AFFIRMATIVE.

Messrs.

Dunbar,  
Mattingly,  
Hodges,

Fitzjarrell,  
Waters, of Dor ,  
Neal,

Scott,  
Ranger,  
Rinehart,